



POLICY TITLE: SPECIAL DIETS POLICY NUMBER: 11.4 CHAPTER 11: FOOD SERVICE		PAGE <u>1</u> OF <u>7</u>
 STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner: 		PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: February 1, 2002	LATEST REVISION: May 8, 2018	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

It is the policy of the Department of Corrections to provide residents who have a legitimate medical or religious basis for a special diet with the meals to fulfill those dietary needs, either through the opportunity to select nutritionally adequate substitutions for specific meal components or through the preparation or acquisition of complete special meals. Facilities are required to arrange and provide special diets as needed to fulfill special orders from qualified medical/religious authorities.

It is the policy of the facility to serve all residents confined in special housing units the same diets as that provided to residents in general population. Alternative meals may be provided in the interest of legitimate security and safety needs. Food shall not be withheld, nor the standard menu varied, as a disciplinary measure.

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V. ATTACHMENTS

None

VI. PROCEDURES

Procedure A: Special Diets, General

1. Each facility shall implement and comply with the Department's policies and procedures regarding all types of special diets. Facilities shall comply with requirements of applicable federal and state regulatory agencies and professional standards pertaining to the nutritional adequacy of special diets.
2. Special diet menus shall be reviewed and approved by the facility's dietitian and/or physician. The dietitian or physician shall review the special diet menus and supporting documentation to determine the facility's compliance with applicable professional standards regarding nutritional values of meals served to the resident population.
3. With the exception of applicable medical or religious dietary requirements, special diet meals shall conform as closely as possible to the food served to other residents.
4. The Food Service Manager shall provide food supplements and snacks upon orders of a physician for residents with certain special needs or medical conditions, (e.g., diabetics, pregnancies, etc.).
5. The Food Service Manager shall ensure special diet bag lunches prepared for residents listed on the Out Count meets nutritional adequacy requirements consistent with the approved therapeutic or religious dietary regimen. Regular bag lunches shall meet the nutritional adequacy requirements.
6. The Deputy Superintendent of Support Services shall ensure that communication and cooperation occurs between appropriate facility staff and clinicians regarding all residents identified with special diet needs.
7. Special diet requirements for medical reasons shall be distinguished from those special diets that are solely based on the recognized religious preferences of a resident. All special diet requests involving a resident's medical condition shall be referred to the facility's medical staff, regardless of whether the request was initially submitted for reasons involving a religious preference.
8. Residents may use the established processes for resolving grievances and complaints involving their prescribed therapeutic or religious diet regimen. Written complaints regarding such matters shall be forwarded to the Food Service Manager, Deputy Superintendent of Support Services, Medical Director and/or Chaplain in accordance with established procedures and practices. Grievances shall be forwarded to the Grievance Review Officer.
9. Each facility's post orders shall provide instruction and information to housing staff regarding additional duties and responsibilities pertaining to special diets.

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10. Residents receiving special diets shall be properly identified during meal service. Confidentiality requirements shall be adhered to at all times in the identification, labeling and service of special diet meals for residents with specific medical conditions (e.g.: diabetics, pregnancies, etc.).

Procedure B: Special Therapeutic Diets

1. Residents shall be interviewed during the intake process to identify any food allergies or other requests for a special diet based on medical reasons. Intake staff shall document requests for special diets for medical reasons on the appropriate intake interview form and refer the information to the facility's medical staff. Medical staff shall conduct follow-up interviews, consistent with their intake screening process responsibilities.
2. Therapeutic diet orders, as set out in Department Policy (JF) 13.14, Food Service Requirements, shall be prescribed by a physician, physician assistant, nurse practitioner, or dentist, shall be specific, complete, and furnished in writing to the Food Service Manager and shall include the following information:
 - a. type of diet;
 - b. duration for which the special diet is to be provided; and
 - c. special instructions of the physician, dentist or psychiatrist, if any are provided.
3. Therapeutic diets shall be reviewed and rewritten quarterly or more often, as clinically indicated.
4. When a resident's therapeutic diet request has not been identified during the intake process, medical staff shall conduct an interview to determine the legitimate need for the special diet, and provide instructions to the Food Service Manager, Juvenile Facility Operations Supervisor, and Juvenile Program Manager regarding special order prescriptions.
5. Menus and meals shall be modified as necessary to comply with special medical diets approved for medical reasons. Consistent with Department policies and procedures, confidentiality requirements shall be adhered to at all times in the identification, labeling and service of special diet meals for residents with specific medical conditions (e.g., diabetics, pregnancies, etc, etc.).
6. Residents may decline meals but are not permitted to change their special medical diet status without medical approval. All dietary changes are entered in the appropriate manual and/or automated records systems by authorized staff.
7. Food service staff that prepares medical diets shall receive appropriate training in accordance with professional standards.

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8. A therapeutic diet manual shall be available in the food service area for reference and information.

Procedure C: Special Diets, Religious Beliefs

1. Each facility shall implement the Department's policies and procedures pertaining to special diets requested by residents for religious reasons.
2. Requests for special diets for religious reasons are addressed on a case-by-case basis, consistent with the dietary restrictions and limitations of the faith and the facility's legitimate needs to preserve security, safety and order at all times.
3. Compliance shall be maintained in accordance with all applicable legal requirements, professional standards and facility policies and procedures.
4. Each facility shall provide nutritionally adequate meals that do not violate authorized accommodations for a resident based on their right to observe the religious preferences of a recognized faith group.
5. Upon the initial intake interview, assigned staff shall ask the resident if they have any special religious dietary preferences. A resident's request for a special diet for religious reasons shall be forwarded to the facility Chaplain for review and verification prior to any dietary accommodations for recognized religious practices.
6. As necessary, the facility Chaplain shall maintain resource information regarding religious practices of all recognized faith groups represented among the facility's resident populations.
7. The Chaplain shall consult with the facility's qualified medical personnel regarding each prescribed religious diet to determine whether the approved food regimen conflicts with food allergies reported by the resident.
8. Documentation indicating each approved religious diet shall be kept on file by the Food Service Manager. A copy of the list of each resident and the specific religious dietary regimen shall be provided to the Food Service Manager.
9. Residents shall not be permitted to determine the specific menu items prescribed for religious reasons.
10. Facility activity schedules may be adjusted to include changes made to accommodate seasonal events associated with recognized faith groups when large segments of the resident population are participating in periods of observance, (e.g., Ramadan, Passover, etc.).

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11. Facilities shall comply with all other requirements pertaining to special diets and meal service operations that may apply to dietary requirements for religious reasons.

Procedure D: Alternative Meals for Behavioral Reasons

1. Food shall not be withheld, nor shall the approved facility menu be varied as a disciplinary sanction for an individual resident's conduct. Alternative meal service shall be implemented in accordance with applicable professional standards and the facility's policies and procedures.
2. When establishing an alternative meal service schedule for a resident, the Juvenile Facility Operations Supervisor shall be responsible for ensuring the following conditions have been met:
 - a. resident has used food or food service equipment to cause a hazard to self, staff or others;
 - b. alternative meal service shall be administered on a case-by-case basis consistent with health and safety considerations;
 - c. alternative meal meets the basic nutritional requirements, determined by the facility's dietitian and the facility's qualified medical staff; and
 - d. written approval of the Deputy Superintendent of Support Services, or designee, and the facility's Medical Director, or designee, is received prior to implementation of the alternative meal schedule.
3. Substitution of the resident's regular meal for an alternative meal shall not exceed seven (7) consecutive calendar days. Subsequent periods of alternative meal service for the resident require approval by the Deputy Superintendent of Support Services, or designee, and the facility Medical Director, or designee.
4. The Food Service Manager, or designee, shall prepare the alternative meal and maintain documentation of the alternative meal preparation in the appropriate food service area logbook for the specified period prescribed by policy.
5. The appropriate Juvenile Facility Operations Supervisor/Juvenile Program Manager shall document the following information when an alternative meal has been provided to the resident:
 - a. name of resident;
 - b. time and date the alternative meal was served;
 - c. any other appropriate information (e.g., refusals); and
 - d. initials of the staff member documenting the event.

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Procedure E: Medication Enhancers

1. Qualified medical personnel may order additional types and quantities of food to enhance the effects of certain medications, e.g., psychotropic medications.
2. The facility medical staff shall verify and comply with written orders received that prescribe medication enhancers and shall develop the regimen necessary to meet the special dietary needs of the resident.
3. The Medical Director shall provide the Food Service Manager with a copy of the approved Facility Special Diet Request Form for food that is needed as a medication enhancer prior to implementation.
4. Medical orders for medication enhancers shall indicate the expiration date of the order. The Medical Director, or designee, shall submit additional requests regarding medication enhancers to the Food Service Manager when subsequent orders from a physician are received and require implementation.

Procedure F: Documentation of Special Diets

1. Food Service staff shall maintain appropriate documentation of all special diets in the Food Service Manager's Office. Information regarding residents receiving special diets shall be posted in the Food Service Manager's Office, unless confidential in nature.
2. The Medical Director, or designee, shall provide an updated list as required by the Food Service Manager for residents receiving a special therapeutic diet. Lists shall be maintained, updated and distributed to appropriate staff and locations as necessary.
3. The Chaplain shall provide an updated list as required by the Food Service Manager for residents receiving a special religious diet. Lists shall be maintained, updated and distributed to appropriate staff and locations as necessary.
4. At a minimum, appropriate documentation of the resident's special diet request and any approvals shall be maintained in the resident's medical record, the Resident's Master Administrative Record and the Food Service records.
5. The Food Service Manager, Medical Director and Chaplain shall retain records of special diets, consistent with the period prescribed by Department policy and procedures.
6. As necessary, appropriate staff shall access and use the records to verify information regarding special diets to make decisions related to a resident's care.

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7. Consistent with post orders, Juvenile Program Specialists/Workers and staff assigned to supervise outside work crews shall maintain a log, logbook or other types of official documentation (such as case management file) for the following occurrences when observed:
- a. resident's refusal of a special diet meal;
 - b. resident's violation of facility rules when it involves a special diet, e.g., selling meals, etc.;
 - c. staff observation of the resident's behavior that may interfere the special diet regimen, e.g., resident consistently eats a regular facility meal, resident gives the special diet meal to other residents, resident non-compliance with special diet regimen as a result of specific food products purchased and consumed from the commissary, etc.;
 - d. resident's failure to comply with other special orders from medical staff regarding special diet, including medication enhancers; and
 - e. all other documentation requirements particular to various types of special diets, (e.g., alternative meals).

VII. PROFESSIONAL STANDARDS:

ACA:

- 4-JCF-[3B-05](#) Food, including snacks, is not withheld, nor is the established menu varied, as a disciplinary sanction.
- 4-JCF-[4A-06](#) Therapeutic diets are prepared and served to juveniles according to written orders by a physician or other health care practitioner pursuant to federal and state law. A therapeutic diet manual is available in the food service area for reference and information.
- 4-JCF-[4A-07](#) Religious diets are prepared and served to juveniles whose beliefs require the adherence to religious dietary laws. These diets are reviewed and approved by the facility chaplain or religious services staff member.

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